Please

G. R. S. IX-5]

Previous references.

1917-18
(P. P.)

File No. 18 18

Serial Nos. 3 - 4, 10, 11
12

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3 - 4, 10 11 12

Part B for Vol 38 of 10th July 1918

SUBJECT.

Regarding the Report on Indian Constitutional Reforms and a copy of brief summary of the Report to be translated and published in all Newspapers

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Sl. 4 To. The F. A. Secretary
Secy. 38 D/10-7-1918
states that necessary action is being taken to have the summary translated and published

W D 88—GPB—50,000—24-7-18

19.7.18

G. R. S. III—1] 1917-18

GENERAL AND REVENUE SECRETARIAT.

(Gen. miss.)

NOTES.

File No. 103

FILE HEADING.

Report of H. E. the Vice Roy & Secretary of State for India on Indian Constitutional Reforms.

From

The J. A. Resident.

No. 4744 Dated 8-7-18 Received

Diary No. 664	Enclos.	Spare Copies.	Serial No

BRIEF ABSTRACT OF LETTER.

Sd 8 copies of The Report on Indian Constitutional Reforms
a copy of a brief [illegible] of the Report to be translated

NOTES AND ORDERS.

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-16

(2

G. R. S. III-2]

PP

General and Revenue Secretariat.

File No. 103 of 1918

Serial No.	
4	To The P. A Resident Pol. 38 of 10-7-18. acknowledge the receipt of the letter refd. to in sl 3 and state that necessary action ~~is~~ being taken to have the Summary translated and published
10	To Major James. First Asstt & the Hon'ble the Resident- D.O. No. 4877 dy 12-7-1918. Enquiries whether the Durbar requires any copies of the Kanarese translation of the Report on the Indian Constitutional Reforms' for distribution among the Kanarese newspapers in the State
11	To. Major James, First Asstt & the Hon'ble the Resident- Do dy 12-7-18. Informs him that steps have already been taken to get the Summary translated into Kanarese and that no copies of the Madras book are required and forwards Six copies of the English Summary which was got reprinted for convenience of circulation
12	To Main Office. Do no. 5112 dy 23-7-1918. Acknowledges the receipt of the Do. letter dy 12-7-1918 and the copies of the Summary forwarded. Submitted for perusal 24/7/18

GEN. & REV. SECRETARIAT V GENERAL 1918

GEN. & REV. SECRETARIAT V GENERAL 1918

NOTE—Contn. sheet.

B. O. S.—S. P. H.—1,000—1-1918

No. 4744 dated 9. [illegible] No 664

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To P. R.

18-5-18

To

Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 8th July 1918.

Sued to [illegible]

The accompanying
Draft approved by the chief
Secy is sued for favour
issue pl

[illegible]
1017

m directed to forward, 8 copies of the Report
Constitutional Reforms for information and for
cation, including circulation to editors responsi-
wspapers, as the Durbar may consider necessary.
to enclose a copy of a brief summary of the
ich has been prepared for newspaper readers.
t of the summary is to give the public an accurate
ression of the salient features of the Report.
uggest for the kind consideration of the Durbar
ion of translating the summary into the local
rs and of supplying copies to all the English and
r newspapers in the State with a request for
ion at as early a date as is conveniently possible

I have the honour to be,
Sir,
Your most obedient serv.

B.J.

First Assistant

Secret up till July [illegible] 1918

For favour of publication in the issue of the appearing on [illegible] 1918, or subsequent date

Summary of the Report on Indian Constitutional Reforms by His Excellency the Viceroy and the Secretary of State.

The report in which the Viceroy and the Secretary of State have embodied their recommendations on constitutional reforms in India will rank with the historic document in which Lord Durham laid the foundations of the constitution of Canada. This report first narrates the events which led up to the present position; it describes the growth of the administrative system and the legislative councils; it examines the working of the Morley-Minto councils and the conditions of the problem, including the Congress League scheme; and it then formulates proposals. It is to these proposals that everybody will first turn, though to understand them it is necessary to study the argument, and an opportunity to do this will be afforded by the issue of the report in book-form.

The policy of the Imperial Government towards India, defined by the Secretary of State on August 20th, 1917, is the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India, as an integral part of the British Empire; and that substantial steps in this direction should be taken as soon as possible. This policy is radically different from, and infinitely greater than that which Lords Minto and Morley approached in 1908-09; Lord Morley emphatically repudiated the idea that those measures were in any sense a step towards parliamentary government. No mere development of the system established in 1909 will meet the existing situation. That demands an immediate measure of responsible government and provision for its expansion. The first step is to establish substantial provincial autonomy; the provincial Budget will be entirely separated from that of the Government of India and a fixed contribution to the Imperial Revenues will supersede the present divided heads. Subject to this contribution, each provincial Government will control its own finances, with certain powers of borrowing and taxation. This will be accompanied by a real measure of administrative and legislative devolution. The system of government proposed for all provinces is that of Governor in Council. At the head of the executive will be the Governor, with an executive council of two members, one an Englishman, the other an Indian, both nominated by the Governor. Associated with the Executive Council as part of the Government will be one or more Ministers, nominated by the Governor from amongst the elected members of the legislative council and holding office for the life of the Council. The administration will be divided into two parts—reserved subjects in charge of the Governor and the members of the Executive Council, and transferred subjects controlled by the Governor and his Ministers. The division of subjects between reserved and transferred will naturally vary from province to province and will be determined by a committee composed of a chairman from outside India and two members, one English official and one non-official Indian. The departments naturally lending themselves to classification as transferred subjects are taxation for provincial purpose; local self-government; education; public works; agriculture; excise; and local industries.

The Legislature to which the Government will, in this important degree, be responsible will contain a substantial elected majority chosen by direct election on as broad a franchise as possible. Communal election for Muhammadans will be preserved, but other minorities except the Sikhs in the Punjab will be represented by nomination. The details of the franchise and the composition of each council will be worked out by a

representative committee. The council will elect from amongst its own members a Standing Committee for each department, or group of departments, which will be associated with the Member or Minister in charge; it will have subject to the sanction of the Governor, power to modify the rules of business; all members will have the right of asking supplementary questions. The council will influence the conduct of all reserved subjects and effectively control the policy in all transferred subjects; and subject to careful provisions to secure the enactment of measures which the Governor certifies are "essential to the discharge of his responsibility for the peace and tranquillity of the Province" or for "the discharge of his responsibility for the reserved subjects," it will decide the form of legislation. As to finance, the Budget will be framed by the Executive Government as a whole; the first charge will be the contribution to the Government of India; after that provincial needs will be satisfied; and if the revenue is insufficient, the question of additional taxation will be decided by the Governor and the Ministers. The Budget will then be laid before the council which will discuss it and vote by resolution on the allotments. These resolutions will be made binding on all save the reserved subjects, where if the council rejects or modifies the proposed allotment, the final decision will rest with the Governor, with the important safeguard that he must certify that the allotments are necessary for peace and order or good government.

The effect of these proposals is to establish real provincial autonomy, financial, administrative and legislative; to increase, through legislative councils with substantial elected majorities, the influence of the electorate on all branches of the administration and to establish immediate popular control over all those questions which most intimately concern the growth of India; the aim of the proposals is to give complete responsibility as soon as conditions permit, and to secure their automatic advance it is proposed that the list of reserved and transferred subjects may be revised by the Government of India at the end of five years and the whole constitutional position be reconsidered by a parliamentary commission after the expiry of ten years, with a view to its development. Periodic commissions at intervals of 12 years are recommended for the purpose of advising on further advance.

The problem as it affects the constitution of the Government of India is more complex, because, until complete responsible government is established in the Provinces, the Government of India must remain responsible to Parliament and because it must preserve indisputable authority on matters which it considers to be essential for the preservation of peace, order and good government. Whilst therefore a single Chamber is proposed for the province, two Chambers are proposed for the Government of India. The executive will consist, as now, of a Governor General in Council, with the difference that there will be two Indian Members of Council instead of one, and the existing restrictions on the choice of Members of Council will be removed. There will be a Legislative Assembly of one hundred members, of which two-thirds will be elected and one-third nominated, communal election being retained for Muhammadans and established for Sikhs in the Punjab. The second Chamber, called the Council of State, will consist of fifty members, twenty-one elected (fifteen by provincial legislative councils) and twenty-nine nominated, of whom not more than twenty-five shall be officials. In regard to official legislation, Bills will ordinarily be introduced in the Legislative Assembly, then pass to the Council of State; in the event of difference between the two Chambers, a joint session will be held; the same procedure will govern private Bills, which will however first be submitted to whichever Chamber the proposer belongs. That the King's Government must be carried on; in the event of the Legislative Assembly rejecting a provision accepted by the Council of State which the Governor General in Council regards as essential to peace and order or good government, then on his certificate this provision will stand. In the same way, if the Legislative Assembly refuses leave for the introduction of, or at any stage rejects, what the Governor General in Council regards as an essential Bill, then on a similar certificate the Bill can be introduced in the Council of State, and if accepted by that body will become law. The Budget will be introduced in the Legislative Assembly and will

be discussed there; but resolutions thereon will be advisory and not binding. The object sought here is to make assent by both Chambers the normal condition of legislation but to establish that on measures essential to peace and order or good government, the decision of the Council of State should prevail. As in the case of the Provinces, Standing Committees will be appointed to co-operate with the Executive, and the working of the system will be examined at the end of ten years by the same parliamentary commission, which enquires into the working of the system in the provinces. In addition, it is proposed to establish a Privy Council for India, composed of men of distinction drawn from all classes, whose function it will be to advise the Governor General when he desires to consult it.

For the smooth working of this system there must be a material relaxation of the close control now exercised by the Secretary of State and the India Office over the Government of India. It is therefore proposed that the control of Parliament and of the Secretary State be modified, and that a committee be immediately appointed to report on the present constitution of the Council of India and on the India Office establishment. But as the responsibility of Parliament will remain, the salary of the Secretary of State for India should be put on the Home Estimates and the House of Commons be asked to appoint a permanent Select Committee, which will advise it on Indian affairs, ensuring the constant presence in Parliament of a group of members who have made a special study of Indian polity.

The proposals here made affect only British India; one-third of the area of India and one-fifth of its population are embraced in the Native States. These cannot remain unaffected by the changes in British India, and there is an increasing community of interest between the two parts. It is therefore proposed that the Chiefs' Conference shall become a permanent Council of Princes, which will ordinarily meet once a year, and that the Council shall appoint a small standing committee to deal with such questions as custom and usage. Disputes between States, or between States and the Government of India, will be referred to a Commission consisting of an official of not less status than a High Court Judge and a nominee of either party, which will advise the Viceroy. Cases of misconduct by Ruling Chiefs will also be investigated by a Commission of five, including a High Court Judge and two Ruling Princes which will advise the Viceroy. All important States will be placed in direct communication with the Government of India, and provision is made for joint deliberation between the Council of State and the Council of Princes on matters of common interest.

In the forefront of the declaration which formulated the policy of the Imperial Government towards India is "the increasing association of Indians in every branch of the administration." Whatever the form of the Constitution, the actual work of administration must be carried out by a body of trained officials. The report therefore proposes the abolition of all racial bars; a fixed and progressive percentage of recruitment in India for all public services; (that for the Civil Service being thirty-three per cent., increasing by one and a half per cent. annually for ten years when the subject will be re-examined); a readjustment of the rates of pay and pension; and the granting of a considerable number of Commissions in the Army to Indians.

The recommendations of the Viceroy and of the Secretary of State therefore propose to place Indian education progressively under Indian control, and to train people in affairs through the popular control of local bodies; and thus to prepare the ground for complete self-government. They recommend the immediate establishment of provincial autonomy, with popular control over several departments of the administration, and increased popular influence over the others. They suggest a central government increasingly representative of and responsible to the people of the land. They urge the removal of all racial bars in the personnel of the administration, and the increasing admission of Indians into the services through recruitment in India. And they suggest machinery which will provide for the continuous progress of the constitutional system to full responsible government. The recommendations, in accordance with promises given, are now submitted for discussion.

It is obviously impossible to summarise with precision all the proposals of this important Report, but we have endeavoured to set out the salient features in broad outline. We recommend to our readers to study the Report in the handy volume which has been issued at the price of Re. 1. There is at the end an excellent summary to which references are attached indicating the paragraphs which deal in detail with the specific proposals.

S/738HD—400 - 26-6-18—GGPS

8

No. 103-18-4.

To

The F.A. Resident

Sir

I am directed to acknowledge with thanks the receipt of 8 copies of the Repat on Indian Constitutional Reforms and the copy of the Summary forwarded with your letter no. 4744 of 8-7-18, and to state that necessary action is being taken to have the Summary translated and published

Yours &c
9/7
Chief Secy

(9

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W D 56—GPB—290—8-7-18

D.O. No. 4877

BANGALORE.
12th July 1918.

Dear Sir,

The Madras Government are arranging to have copies of a Kanarese translation of the summary of the 'Report on Indian Constitutional Reforms,' printed at their press. I am desired to enquire whether the Durbar require any copies for distribution among the kanarese newspapers in the State.

Yours sincerely,

C. S. Balasundaram Iyer, Esq., B.A.
Chief Secretary to the Government of
His Highness the Maharaja of
MYSORE.

Enc. 6 Copies 13

Issued
12-7-18

Dear Major James,

I am in receipt of your d.o. letter of today's date enquiring whether the Durbar require copies of the Kanarese translation of the Summary of the 'Report on Indian Constitutional Reforms

~~I am to say in reply~~ ~~that~~ Steps have already been taken to have the Summary translated into Kanarese and ~~three~~ copies of the Madras Govt translation are therefore not required.

I send herewith six copies of the English Summary which was got reprinted for convenience of circulation

Yours Sincerely

GBS

14

1532

D. O. No 5112

24/7/18

BANGALORE.
23rd July 1918.

Dear Mr. Balasundaram Iyer,

I am desired to acknowledge the receipt of your D.O. letter dated the 12th July 1918, regarding the "Report on Indian Constitutional Reforms," and to convey the thanks of the Resident for the copies of the summary kindly forwarded therewith.

Yours sincerely,

H S Duncan

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

B.J.